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**Attorneys for Respondent Arizona Public Service Company**

**BEFORE THE ARIZONA CORPORATION COMMISSION**

**COMMISSIONERS**

MARC SPITZER, Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
MIKE GLEASON  
KRISTIN K. MAYES

IN THE MATTER OF:

AVIS READ; individually, on behalf of all  
similarly situated,

Complainants,

v.

ARIZONA PUBLIC SERVICE COMPANY,

Respondent.

IN THE MATTER OF THE APPLICATION  
OF ARIZONA PUBLIC SERVICE  
COMPANY FOR A DECLARATORY  
ORDER REGARDING BILL ESTIMATION  
PROCEDURES.

DOCKET NO. E-01345A-04-0657

DOCKET NO. E-01345A-03-0775

**ARIZONA PUBLIC SERVICE'S  
MOTION TO AMEND  
PROCEDURAL ORDER**

Arizona Public Service Company ("APS") hereby requests that the Presiding  
Officer amend the Procedural Order filed in these matters on November 2, 2004 to

1 permit the parties to file responses to the opposing party's initial filing of testimony  
2 and exhibits by the various parties to these actions, as set forth below.

3 The Procedural Order requires that Complainant Read file direct testimony and  
4 exhibits related to the Read Complaint ("the Complaint") and that APS file direct  
5 testimony and exhibits related to its Application for Declaratory Order ("the  
6 Application") by November 23, 2004. The Order also requires Arizona Corporation  
7 Commission ("Commission") Staff to file its initial written report on the  
8 reasonableness of APS's bill estimation and metering practices by December 17, 2004  
9 and then file its direct testimony and exhibits related to the Complaint and to the  
10 Application by January 13, 2005. The hearing on the Complaint and Application is  
11 then set to commence on January 20, 2005.

12 As presently contemplated, however, there is no opportunity for either Read,  
13 APS or Commission Staff to respond to any other party's initial submission. We  
14 believe, however, it important that the parties have an opportunity to respond to other  
15 parties' submissions, however, so that as full a written record as possible can be  
16 developed and presented for the Commission's review prior to the January 20 hearing.  
17 Moreover, an initial filing date by Read and APS of November 23 does not allow  
18 sufficient time for completion of these initial submissions. Accordingly, we request  
19 that the Presiding Officer amend her November 2, 2004 Procedural Order to provide  
20 as follows:

21 (1) Read's direct testimony and exhibits relating to her Complaint and  
22 APS's direct testimony and exhibits relating to its Application shall be filed no later  
23 than December 7, 2004;

24 (2) Any response by any other party to the December 7 filings, and any  
25 response to the Staff's initial written report to be filed December 17, shall be filed on  
26 or before January 13, 2005 (the same date that Staff will be filing its direct testimony  
27 and exhibits); and  
28

1 (3) Any response to the Staff's direct testimony and exhibits will be filed at  
2 or before the scheduled January 18, 2005 pre-hearing conference.

3 This proposed amendment will not delay in any way the scheduled January 20,  
4 2005 hearing date in this matter, but will permit the party to file responses, if  
5 necessary, to the initial filings. APS therefore requests that the Presiding Officer  
6 amend the November 2, 2004 Procedural Order as set forth above.

7 DATED this 4th day of November, 2004.

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22 Service Company

23 By

24   
25 William J. Maledon

26 The foregoing was hand-delivered\*/  
27 mailed this 4th day of November, 2004,  
28 to:

29 Lyn Farmer\*  
30 Chief Administrative Law Judge  
31 Arizona Corporation Commission  
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